

ITALIAN SLAYS TWO

Crazed with Anger, Deals
Death from Revolver.

TWO INJURED MEN MAY DIE

New York Railroad Employee Enraged Because He Is Pushed from
Line of Men Waiting to Be Paid
and Attacks the Crowd—Lynching
Averted by the Aid of Police.

New York, Feb. 6.—Inflamed by his trouble with a number of firemen and engineers of the New York Central road, as he stood in line at the pay car at Forty-fifth street and Vanderbilt avenue to-day, Gabriel Ferrera, a former employee of the company, now employed shoveling snow for the street-cleaning department, shot and killed two men, dangerously wounding a third, and slightly injured a fourth.

The crowd, started for a moment, fell back, and then ran after the fleeing Italian. Several of the firemen beat him severely, and they were hunting for a rope with which to lynch him when Policeman Wilson went to the rescue.

Ferrera's victims were: Edward Jones, aged twenty, fireman, shot dead; Robert Ayer, aged seventeen, fireman, died on the way to Flower Hospital; Alfred Cenoty, aged twenty, shot in the left arm, and Edward Tompkins, fireman, shot in the stomach and dangerously wounded.

Ferrera had been employed in the baggage-room at the Grand Central station, but was discharged on the 1st of the month. To-day he went back to get \$40.50, due him for his work in January. He tried to break his way into the line at the pay car, instead of going to the end.

Pushes Man Out of Line.

He pushed Jones out of line, and when Tompkins crowded against him, pushed him out too. Tompkins crowded back into line, displacing the Italian, and Ferrera pulled out a long knife and slashed at him. Tompkins knocked him down and took the knife away from him.

Ferrera ran to his home at 317 East Forty-fifth street, where he lives with his wife and fourteen-year-old daughter. He got his revolver, and returned to the pay car. He no longer got in sight of the men in line before he pulled his pistol and began firing.

The firemen, who had been waiting in line, ran in panic from the scene. They hid in every place in the yard where they thought they would be out of the range of the policeman's pistol.

While the crowd was scattered, Ferrera turned and ran toward Vanderbilt avenue. By that time the firemen had recovered their nerve and started in pursuit. They followed the fleeing Italian on Twenty-third street side, when three pistol shots—

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DELMAS IN CHARGE
OF THAW'S DEFENSE

CONTINUED FROM FIRST PAGE.

from a number of decisions, notably the Pekars case recently decided, in which it was held that lay witnesses could testify as to whether the acts of the defendant were rational or irrational. But Justice Fitzgerald did not agree with Mr. Jerome's contention, and Martin Green, to whom the question had been submitted at the morning session, was recalled to the stand. Thereupon Mr. Delmas reframed his question so as to agree exactly with one in the Packingham case, decided in 1889, which the Court of Appeals held was admissible. Mr. Delmas asked Mr. Green if the acts of Thaw after the shooting indicated that he was rational or irrational.

"Irrational,"

That satisfied Mr. Delmas, and Mr. Jerome, who knows Mr. Green as the author of "The Man Higher Up," for whom Mr. Jerome has hunted, wanted to know if Mr. Green could regard himself an expert witness. Mr. Green modestly admitted that he did not, and after some other questions he said he judged that Thaw's mental condition was not at all what it should have been on that night because of his acts after the shooting.

Thomas McCabe Called.

There was a whispered conference between Mr. Delmas and Mr. Hartbridge, and Mr. Delmas called out, "Thomas McCabe." There was a stir in the courtroom, for every one there knew that McCabe and Truxton Beale the so-called "International clubman," were in the Thaw party on the night Stanford White was killed. Mr. Delmas withdrew for a moment from the room. When he returned, McCabe was on the stand and had been sworn.

Meantime, McCabe, who was nervous, had been fidgeting around in the witness chair. He is a smooth-faced, rather sharp-featured young man, who looks his age—about 26. His voice is mild—almost soft—and, with brown hair, not very thick, and parted in the middle, he looked the young-man-about-town type.

He said he came in from San Francisco, that he knew Harry Thaw, and that he was with him on the night of the shooting. He was with him in the roof garden at the time of the shooting, and in the party were Mrs. Evelyn Thaw and Beale. They had seats for "Mam'zelle Champagne," and they got to the roof about 9:30. They took seats on the Madison avenue side, at the Twenty-seventh street corner. The musical hodge-podge was going on when they entered the roof. McCabe said he lived over, he said, Mr. Delmas got him to describe the manner of leaving.

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he received the slip of paper?" asked Mr. Delmas.

"I didn't hear any remark," replied Mr. McCabe.

"Did you notice anything in the appearance of Mr. Thaw at that time as affected by the piece of paper or the receipt of it?" said Mr. Delmas, repeating the question which Justice Fitzgerald had ruled out a few minutes before. Again Mr. Jerome was on his feet with an objection.

Justice Fitzgerald, however, overruled Mr. Jerome, saying that part of the question, as affected by this piece of paper, was certainly objectionable.

It was the first time the note from Mrs. Thaw to her husband had been brought into the testimony, although immediately after the shooting Thaw told a reporter about it. Other than a few persons, no one knows the exact words on the note. Thaw said that night that there was a reference to Stanford White. Whatever was on the note does not seem to worry Thaw or his counsel, for as it soon developed, Mr. Delmas was anxious to get it before the jury right there.

"Of course, the contents of that paper," insisted Mr. Delmas, with a show of feeling, "it is impossible for me to prove by that witness. I am informed that that paper is in the possession of the learned district attorney, and I am accordingly informed I shall ask for it."

Delmas' Appeal Ignored.

"I will sustain the objection in the form that it is put, said Justice Fitzgerald, ignoring Mr. Delmas' appeal to Mr. Jerome.

"I was not aware of the contents in that way," said Mr. Delmas, apologetically. "If I am correctly informed I now call for the production of that paper, if it is in the possession of the learned district attorney's office."

A wave of hand from Mr. Delmas toward the jury had no effect on Mr. Jerome's back, the only thing Mr. Delmas could see of the district attorney, who was sitting right in front of him, right next to Mr. Jerome was young Mr. Garvan, in whose possession reposes the secrets of the prosecution's case. His back was to Mr. Delmas. There was not a sound in the courtroom. Mr. Jerome never budged. He looked straight ahead. So did Mr. Garvan. Through their glasses they appeared to be trying to pierce the Simmons' paintings on the wall back of the judge's bench.

"Make him answer," said Associate Justice Harbridge, leaning over to brother Delmas.

"Is there no response?" called Mr. Delmas. So far as Justice Fitzgerald was concerned he was not listening. He was looking at Mr. Jerome, who was sitting right in front of him, right next to Mr. Jerome was young Mr. Garvan, in whose possession reposes the secrets of the prosecution's case. His back was to Mr. Delmas. There was not a sound in the courtroom. Mr. Jerome never budged. He looked straight ahead. So did Mr. Garvan. Through their glasses they appeared to be trying to pierce the Simmons' paintings on the wall back of the judge's bench.

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Had Drink with Jerome.

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